



2823
Xerox Docket No. D/99675

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Christian G. VAN de WALLE ✓

Group Art Unit: 2823

Application No.: 09/682,174 ✓

Examiner: L. Pham

Filed: July 31, 2001 ✓

Docket No.: 108901

For: SEMICONDUCTOR STRUCTURES HAVING REDUCED CONTACT RESISTANCE

RESPONSE TO RESTRICTION REQUIREMENT

Director of the U.S. Patent and Trademark Office
Washington, D.C. 20231

Sir:

In reply to the June 24, 2002 Restriction Requirement, Applicant provisionally elects Group 2, claims 1-20 drawn to a semiconductor device, with traverse.

The Restriction Requirement asserts that the product as claimed can be made by another and materially different process, such as one in which the first and second p-doped layers are formed in single deposition by varying the doping during the deposition, and thus satisfies the Restriction Requirement under MPEP §806.05(f). Applicant respectfully disagrees.

In reviewing independent claim 1, which is directed to a method for forming a semiconductor device, there is no limitation that the formation the semiconductor device is a result of a single deposition or of multiple depositions. Instead, the claim language recites "forming a first p-doped group III-V semiconductor layer having a first conduction band energy level and a first variance band energy band level, and forming a second p-doped group III-V semiconductor layer over the first p-doped group III-V semiconductor layer, the second p-doped group III-V semiconductor layer having a second conduction band energy level and

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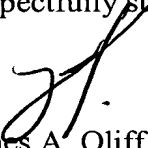
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a second variance band energy level". Stated differently, the materially different process asserted in the Restriction Requirement still falls within the claim language and thus, is not a process made by another and materially different process that makes the product, as required under MPEP §806.05(f).

Further, it is also respectfully submitted that the subject matter of all claims are sufficiently related that a thorough search for the subject matter of any one Group of claims would encompass a search for the subject matter of the remaining claims. Thus, it is respectfully submitted that the search and examination of the entire application could be made without serious burden. See MPEP §803 in which it is stated that "if the search and examination of the entire application can be made without serious burden, the Examiner must examine it on the merits even though it includes claims to distinct or independent inventions" (emphasis added). It is respectfully submitted that this policy should apply in the present application in order to avoid unnecessary delay and expense to Applicants and duplicative examination by the Patent Office.

Thus, withdrawal of the Restriction Requirement is respectfully requested.

Respectfully submitted,


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Date: July 24, 2002

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